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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/091,024 | 03/06/2002 | Eric J. Houser | N.C.83,517 | 6407 |

26384 7590 12/16/2003

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EXAMINER

DAVIS, BRIAN J

| ART UNIT | PAPER NUMBER |
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1621

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1621

Non-Responsive Amendment

The reply filed on 9/25/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant has not defined a single disclosed species as the species elected for prosecution. See 37 CFR 1.111.

Applicant was required to elect a single disclosed species in order to begin prosecution. Applicant's election, however, merely outlines a set of desired general structural characteristics that the compound must have; It does not define a compound. The examiner respectfully suggests that the elected species be explicitly defined in terms of the variables of the formula which appears in claim 2.

The Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Davis whose telephone number is 703-305-7129. The examiner can normally be reached on 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 703-308-4532. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0197.



BRIAN DAVIS
PRIMARY EXAMINER

Brian J. Davis
December 12, 2003